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Assistant Commissioner for Patents, Washington, D.C. 20231, on October 28, 1999.

Kerry Keehan

17/9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Barry N. GARDINER et al.

Serial No.:

08/781,579

Filing Date:

January 9, 1997

For:

SUTURED STAPLE SURGICAL FASTENERS, INSTRUMENTS AND METHODS FOR MINIMALLY

METHODS FOR MINIMALLY INVASIVE VASCULAR AND ENDOSCOPIC SURGERY Examiner: Tina T.D. Pham

Group Art Unit: 3731

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Group 3700

AMENDMENT UNDER 37 C.F.R. §1.111

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action (Paper No. 16) dated August 10, 1999 for which a response was due on November 10, 1999.

IN THE CLAIMS

Please cancel claims 28, 43, 67/without prejudice of later renewal.

Claims 68, 71, 73 and 76 are withdrawn with traverse.